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PATENT CASE: AL0425KQ9

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Sequeira, et al

Serial No.: 10/763,143

Filed: 1/22/04

For: USE OF MOMETASONE  
FUROATE FOR TREATING AIRWAY  
PASSAGE AND LUNG DISEASES

Examiner: Clardy

Group Art Unit: 1616

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO OFFICE ACTION**

Sir:

01/12/2005 GANTHONY 00000001 190365 10763143  
Sale Ref: 00000001 DAH: 190365 10763143  
01 FC:1814 130.00 DA

The time for response to the Office Action of 10/06/04 expires on  
1/06/05. As this response is being filed prior to that date, it is not believed  
that any fees are due for any extensions of time. In the event that any fees  
are due, please charge any fees to Deposit Account No. 19-0365.

**REMARKS****Double Patenting**

Claims 1 and 30-38 have been rejected for obviousness type double  
patenting over U.S. Patent Nos. 6,723,713, 6,677,323, 6,677,322, 6,365,581,  
6,057,307, 5,889,015, 5, 837,699, and provisionally rejected over co-pending  
Patent Application Serial No. 10/763,295 issued in the name of the same  
inventive entity and assigned to the same assignee as the above captioned  
case. Submitted herewith is a terminal disclaimer over the claims of those